
GUIDELINES FOR STATE PROCUREMENT OF PRINTING

OFFICE OF MANAGEMENT AND BUDGET

Prepared by

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Central Services Division

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PRINTING AND LEGAL PUBLICATIONS

Procurement of printing can present a challenge for purchasers, and it is helpful to have a basic understanding of the printing industry when writing printing specifications and conducting the procurement process. Printing is defined as the reproduction of printed material and may include documents reproduced using printing press, photocopiers, and printers.

1. Printing Classes

State law divides printing into the following classes (ref. N.D.C.C. 46-02-04):

- First Class – printing of bills and resolutions of the legislative assembly.

Second Class – printing and binding of the journals of the Senate and House of Representatives.
- Third Class – printing and binding of the governmental biennial reports (excluding the official budget report).
- Fourth class – printing and binding of volumes of laws and legislative resolutions.
- Sixth class – all printing not otherwise classified.

2. Purchase Authority for Printing

State law gives the Office of Management and Budget the authority to purchase and supervise all printing for the various state departments and agencies (ref. N.D.C.C. 46-01-01).

The State Procurement Office will invite sealed bids for printing classes 1,2, and 4 at least two months preceding each regular session of the legislative assembly (N.D.C.C. 46-02-05).

All state agencies and institutions are delegated authority by the Office of Management and Budget to purchase class 3 and class 6 printing, not printed by Central Duplicating, up to \$2,500 (ref. N.D.C.C. 46-02-09, OMB Delegated Authority dated June 15, 2004).

3. Bidding Requirements For Printing Classes 3 and 6

- Agencies and institutions may purchase printing from Central Duplicating and term contracts for printing, regardless of the dollar amount.
- Printing up to \$2,500, not done by Central Duplicating, may be purchased after soliciting only one quote from a registered vendor, provided the pricing is fair and reasonable. Printing costs may vary quite significantly from job to job and from printer to printer. Obtaining bids each time a printing job is done can result in significant cost savings.
- Printing \$2,501 and over, not done by Central Duplicating, must be requisitioned through the State Procurement Office. Agencies with reoccurring printing requirements may contact the State Procurement Office to discuss establishing a term contract for printing.

4. Selecting Potential Printers

North Dakota state law requires that where practicable, all state, county, and local government printing, binding, and blank book manufacturing, blanks, and other printed stationery, must be done by North Dakota vendors (ref. N.D.C.C.46-02-15). At time, it may be necessary to solicit pricing from out-of-state printing vendors. These circumstances may include:

- The lack of qualified printing vendors in North Dakota (i.e. specialized printing equipment requirements).
- Not capable of providing the required printing service at a reasonable price, or meet the required delivery schedule.

When awarding to an out-of-state vendor, be sure to apply any reciprocal preference and document why it was not practicable to obtain the printing from a North Dakota vendor (ref. N.D.A.C. 4-12-16).

5. Quantities of Printed Materials

When indicating required quantities, agencies are reminded to deposit with the ND State library eight copies of all publications issued by all executive, legislative, and judicial agencies of state government not intended solely for their internal use.

Vendors must supply the exact counts as requested. Overages must not be paid for and underages must not be accepted by the agencies.

6. Printing Specifications

Specifications for printing must be very detailed. Remember the statutory requirement to purchase or specify recycled paper, whenever possible (ref. N.D.C.C. 54-44.4-07,54-44.4-08). Specifications may include, but are not limited to, the following information:

1. The number of originals.
2. Is the job printed 1-sided or 2-sided?
3. How many pages are 1-sided or 2-sided?
4. The number of copies or sets.
5. The paper size.
6. The finished size.
7. The paperweight.
8. The paper stock (cover stock or text stock).
9. The paper color.
10. The ink color (Use a PMS color number whenever possible).
11. Are there inserts?
12. Is there a front cover?
13. Is there a back cover?
14. Does it need to be folded, stapled, or drilled?
15. Is there any special finishing required?
16. Does it need to be numbered?
17. Is there a sample the printers can look at?
18. Is the job camera-ready?
19. Is there artwork?
20. Are color separations needed?
21. Does the artwork need to be done by the printer?

22. Provide a point of contact for the project.
23. If the job is provided on a CD or disc?
24. What program was used to create the CD or disc?
25. Is a proof required?
26. Is a press proof required?
27. What is the due date?

In writing specifications, indicate that any artwork, negatives, or disks developed by a design agency, a printer, or a state agency are property of the agency and must be returned by the printer to the agency upon completion and acceptance of the print job.

7 Ink

When purchasing newsprint printing services, specify soybean-based ink whenever possible. The State Procurement Office has responsibility for locating suppliers of soybean-based inks and collecting data on the purchase of soybean-based inks, with assistance from the North Dakota Soybean Council and Agriculture Commissioner (ref. N.D.C.C. 54-44.4-07). Agencies may be required to report the use of soybean-based ink in printing purchases.

8. Contracts including printing.

An agency may enter into a contract with a vendor to provide all the services and commodities needed to accomplish the scope of work including printing. For example, an agency may contract for a trainer to teach a class and provide all the related printed materials. If the agency elects to furnish the printed material to the contractor, then the printing is subject to the \$2,500 OMB delegated authority limitations.

9. Serial Numbering Forms

All printed forms for acknowledging the receipt of cash, for warrants, checks, or other orders for the payment or disbursement of funds supplied to municipalities, must be serially numbered by the printer, and no printer may furnish any unnumbered copies of said forms to any municipality. Any person violating this is guilty of a class A misdemeanor (ref. N.D.C.C. 46-02-17).

10. Awarding

Award must be made to the lowest bidder meeting the requirements of the solicitations. The State may reject any bid for class 1,2, and 4 printing made by anyone other than a regularly established and thoroughly competent printer. Any or all bids may be rejected if determined to be in the best interest of the state (ref. N.D.C.C. 46-02-07).

11. Inferior Printing

Printers provide proofs of the print job for review by the agency. It is the agency's responsibility to review and accept or reject the proof. All printing that is not done in a workmanlike manner or with good material and with ordinary promptness is considered inferior and may be rejected. Only good clean, and satisfactory work may be accepted, and it must be done within a reasonable time (ref. N.D.C.C. 46-02-12). Logos or company names of the printer must not be printed anywhere on the finished product.

- Printing bid by the agency. Promptly notify the printer any problems. Agencies may negotiate with the printer to resolve the problem. Negotiations may include the reprint of the project at no additional cost to the state, or a discount if time

requirements to not permit reprinting and the defective printed materials must be used. Rejection of a print job must be in writing to the vendor. Contact your agency's procurement section to assistance.

- Printing bid by the State Procurement Office. Promptly notify the State Procurement Office promptly of any problems. The State Procurement Office will handle the negotiation between the printer and agency to resolve the problem.

12. Establishing Legal Rates

The Office of Management and Budget computes the standard price on legal notices (ref. N.D.C.C. 46-05-03). OMB reviews the rates biennially and makes any necessary adjustments to reflect changes in economic conditions within the newspaper industry and the general economy. Such adjustments will be made in consultation with representatives of the daily and weekly newspaper industry of the state (North Dakota Newspaper Association) and with representatives of state and local government. Those adjustments become effective on the first of July following the review. These changes may be percentage increases or decreases in the base rates, and they may incorporate revisions in the base rate structure.

The rates or compensation and the method of calculating the same provided for in N.D.C.C. 46-05-03 applies in all cases where publication of legal notices of any kind, such as ballots, insurance statements, official proclamations, proceedings of the board of county commissioners, reports, election returns, and other publications and reports which are required and allowed by law (ref. N.D.C.C. 46-05-04).

13. Qualified Newspapers

All newspapers qualified to publish legal notices must use the rates, type size, and column width as shown on its legal notice rate certification issued by the Office of Management and Budget (ref. N.D.C.C. 46-05-01, 46-05-03). All the qualified newspapers can be accessed along with their rates on the North Dakota Newspaper Association website or through the North Dakota State Procurement Office website.

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